

§§ 249—251. Repealed. June 25, 1948, ch. 645, § 21, 62 Stat. 862, eff. Sept. 1, 1948.

Section 249, act Feb. 28, 1925, ch. 368, title III, § 310, 43 Stat. 1073, related to promises or pledges by candidates, and is now covered by section 599 of Title 18, Crimes and Criminal Procedure.

Section 250, act Feb. 28, 1925, ch. 368, title III, § 311, 43 Stat. 1073, related to expenditures to influence voting, and is now covered by section 597 of Title 18, Crimes and Criminal Procedure.

Section 251, acts Feb. 28, 1925, ch. 368, title III, § 313, 43 Stat. 1074; June 20, 1947, ch. 120, title III, § 304, 61 Stat. 159, related to political contributions by national banks, corporations, or labor unions, and is now covered by section 610 of Title 18, Crimes and Criminal Procedure.

§ 252. General penalties for violations.

(a) Any person who violates any of the foregoing provisions of this chapter, except those for which a specific penalty is imposed by section 208 of Title 18, and section 251 of this title, shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

(b) Any person who willfully violates any of the foregoing provisions of this chapter, except those for which a specific penalty is imposed by section 208 of Title 18, and section 251 of this title, shall be fined not more than \$10,000 and imprisoned not more than two years. (Feb. 28, 1925, ch. 368, title III, § 314, 43 Stat. 1074.)

REFERENCES IN TEXT

Section 208 of Title 18, referred to in the text, was repealed by act June 25, 1948, ch. 645, § 21, 62 Stat. 862, and is covered by section 602 of Title 18, Crimes and Criminal Procedure.

Section 251, referred to in the text, was repealed by act June 25, 1948, ch. 645, § 21, 62 Stat. 862.

CROSS REFERENCES

Penalties provided by this section to apply to violations of Hatch Political Activity Act, see section 610 of Title 18, Crimes and Criminal Procedure.

§ 253. Expenses of election contests.

This chapter and section 208 of Title 18 shall not limit or affect the right of any person to make expenditures for proper legal expenses in contesting the results of an election. (Feb. 28, 1925, ch. 368, title III, § 315, 43 Stat. 1074.)

REFERENCES IN TEXT

Section 208 of Title 18, referred to in the text, was repealed by act June 25, 1948, ch. 645, § 21, 62 Stat. 862, and is covered by section 602 of Title 18, Crimes and Criminal Procedure.

§ 254. State laws not affected.

This chapter and section 208 of Title 18 shall not be construed to annul the laws of any State relating to the nomination or election of candidates, unless directly inconsistent with the provisions of this chapter and section 208 of Title 18, or to exempt any candidate from complying with such State laws. (Feb. 28, 1925, ch. 368, title III, § 316, 43 Stat. 1074.)

REFERENCES IN TEXT

Section 208 of Title 18, referred to in the text, was repealed by act June 25, 1948, ch. 645, § 21, 62 Stat. 862, and is covered by section 602 of Title 18, Crimes and Criminal Procedure.

§ 255. Partial invalidity.

If any provision of this chapter and section 208 of Title 18, or the application thereof to any person or circumstance is held invalid, the validity of the remainder of said chapter and section and of the application of such provision to other persons and circumstances shall not be affected thereby. (Feb. 28, 1925, ch. 368, title III, § 317, 43 Stat. 1074.)

REFERENCES IN TEXT

Section 208 of Title 18, referred to in the text, was repealed by act June 25, 1948, ch. 645, § 21, 62 Stat. 862, and is covered by section 602 of Title 18, Crimes and Criminal Procedure.

§ 256. Citation.

This chapter and section 208 of Title 18 may be cited as the "Federal Corrupt Practices Act." (Feb. 28, 1925, ch. 368, title III, § 301, 43 Stat. 1070.)

REFERENCES IN TEXT

Section 208 of Title 18, referred to in the text, was repealed by act June 25, 1948, ch. 645, § 21, 62 Stat. 862, and is covered by section 602 of Title 18, Crimes and Criminal Procedure.

Chapter 8A.—REGULATION OF LOBBYING

Sec.

- 261. Definitions.
- 262. Detailed accounts of contributions; retention of receipted bills of expenditures.
- 263. Receipts for contributions.
- 264. Statements of accounts filed with Clerk of House.
- 265. Preservation of statements.
- 266. Persons to whom chapter is applicable.
- 267. Registration of lobbyists with Secretary of the Senate and Clerk of House; compilation of information.
- 268. Reports and statements under oath.
- 269. Penalties and prohibitions.
- 270. Exemptions from chapter.

CROSS REFERENCES

Corrupt practices, see section 241 et seq. of this title.
Hatch Political Activity Act to restrain pernicious political activity, see sections 594, 595, 598, 600, 601, 604, 605, 608, 610, and 611 of Title 18, Crimes and Criminal Procedure, and sections 1181—118n of Title 5, Executive Departments and Government Officers and Employees.

§ 261. Definitions.

When used in this chapter—

(a) The term "contribution" includes a gift, subscription, loan, advance, or deposit of money or anything of value and includes a contract, promise, or agreement, whether or not legally enforceable, to make a contribution.

(b) The term "expenditure" includes a payment, distribution, loan, advance, deposit, or gift of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure.

(c) The term "person" includes an individual, partnership, committee, association, corporation, and any other organization or group of persons.

(d) The term "Clerk" means the Clerk of the House of Representatives of the United States.

(e) The term "legislation" means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject

of action by either House. (Aug. 2, 1946, ch. 753, title III, § 302, 60 Stat. 839.)

AUTHORIZATION OF APPROPRIATIONS

Section 244 of act Aug. 2, 1946, provided in part: "All necessary funds required to carry out the provisions of this Act [sections 60a, 72a, 74a, 88a, and 261—270 of this title and section 182c of Title 44, Public Printing and Documents], by the Secretary of the Senate and the Clerk of the House, are hereby authorized to be appropriated."

Said section was made effective as of Aug. 2, 1946, by section 245 of said act Aug. 2, 1946.

SHORT TITLE

Congress in enacting sections 261—270 of this title provided by section 301 of act Aug. 2, 1946, that they should be popularly known as the "Federal Regulation of Lobbying Act".

§ 262. Detailed accounts of contributions; retention of receipted bills of expenditures.

(a) It shall be the duty of every person who shall in any manner solicit or receive a contribution to any organization or fund for the purposes hereinafter designated to keep a detailed and exact account of—

- (1) all contributions of any amount or of any value whatsoever;
- (2) the name and address of every person making any such contribution of \$500 or more and the date thereof;
- (3) all expenditures made by or on behalf of such organization or fund; and
- (4) the name and address of every person to whom any such expenditure is made and the date thereof.

(b) It shall be the duty of such person to obtain and keep a receipted bill, stating the particulars, for every expenditure of such funds exceeding \$10 in amount, and to preserve all receipted bills and accounts required to be kept by this section for a period of at least two years from the date of the filing of the statement containing such items. (Aug. 2, 1946, ch. 753, title III, § 303, 60 Stat. 840.)

§ 263. Receipts for contributions.

Every individual who receives a contribution of \$500 or more for any of the purposes hereinafter designated shall within five days after receipt thereof rendered¹ to the person or organization for which such contribution was received a detailed account thereof, including the name and address of the person making such contribution and the date on which received. (Aug. 2, 1946, ch. 753, title III, § 304, 60 Stat. 840.)

§ 264. Statements of accounts filed with Clerk of House.

(a) Every person receiving any contributions or expending any money for the purposes designated in subparagraph (a) or (b) of section 266 of this title shall file with the Clerk between the first and tenth day of each calendar quarter, a statement containing complete as of the day next preceding the date of filing—

- (1) the name and address of each person who has made a contribution of \$500 or more not mentioned in the preceding report; except that the first report filed pursuant to this title shall

contain the name and address of each person who has made any contribution of \$500 or more to such person since August 2, 1946;

(2) the total sum of the contributions made to or for such person during the calendar year and not stated under paragraph (1) of this subsection;

(3) the total sum of all contributions made to or for such person during the calendar year;

(4) the name and address of each person to whom an expenditure in one or more items of the aggregate amount or value, within the calendar year, of \$10 or more has been made by or on behalf of such person, and the amount, date, and purpose of such expenditure;

(5) The total sum of all expenditures made by or on behalf of such person during the calendar year and not stated under paragraph (4) of this subsection;

(6) the total sum of expenditures made by or on behalf of such person during the calendar year.

(b) The statements required to be filed by subsection (a) of this section shall be cumulative during the calendar year to which they relate, but where there has been no change in an item reported in a previous statement only the amount need be carried forward. (Aug. 2, 1946, ch. 753, title III, § 305, 60 Stat. 840.)

§ 265. Preservation of statements.

A statement required by this chapter to be filed with the Clerk—

(a) shall be deemed properly filed when deposited in an established post office within the prescribed time, duly stamped, registered, and directed to the Clerk of the House of Representatives of the United States, Washington, District of Columbia, but in the event it is not received, a duplicate of such statement shall be promptly filed upon notice by the Clerk of its nonreceipt;

(b) shall be preserved by the Clerk for a period of two years from the date of filing, shall constitute part of the public records of his office, and shall be open to public inspection. (Aug. 2, 1946, ch. 753, title III, § 306, 60 Stat. 841.)

§ 266. Persons to whom chapter is applicable.

The provisions of this chapter shall apply to any person (except a political committee as defined in chapter 8 of this title, and duly organized State or local committees of a political party), who by himself, or through any agent or employee or other persons in any manner whatsoever, directly or indirectly, solicits, collects, or receives money or any other thing of value to be used principally to aid, or the principal purpose of which person is to aid, in the accomplishment of any of the following purposes:

(a) The passage or defeat of any legislation by the Congress of the United States.

(b) To influence, directly or indirectly, the passage or defeat of any legislation by the Congress of the United States. (Aug. 2, 1946, ch. 753, title III, § 307, 60 Stat. 841.)

¹ So in original.

§ 267. Registration of lobbyists with Secretary of the Senate and Clerk of House; compilation of information.

(a) Any person who shall engage himself for pay or for any consideration for the purpose of attempting to influence the passage or defeat of any legislation by the Congress of the United States shall, before doing anything in furtherance of such object, register with the Clerk of the House of Representatives and the Secretary of the Senate and shall give to those officers in writing and under oath, his name and business address, the name and address of the person by whom he is employed, and in whose interest he appears or works, the duration of such employment, how much he is paid and is to receive, by whom he is paid or is to be paid, how much he is to be paid for expenses, and what expenses are to be included. Each such person so registering shall, between the first and tenth day of each calendar quarter, so long as his activity continues, file with the Clerk and Secretary a detailed report under oath of all money received and expended by him during the preceding calendar quarter in carrying on his work; to whom paid; for what purposes; and the names of any papers, periodicals, magazines, or other publications in which he has caused to be published any articles or editorials; and the proposed legislation he is employed to support or oppose. The provisions of this section shall not apply to any person who merely appears before a committee of the Congress of the United States in support of or opposition to legislation; nor to any public official acting in his official capacity; nor in the case of any newspaper or other regularly published periodical (including any individual who owns, publishes, or is employed by any such newspaper or periodical) which in the ordinary course of business publishes news items, editorials, or other comments, or paid advertisements, which directly or indirectly urge the passage or defeat of legislation, if such newspaper, periodical, or individual, engages in no further or other activities in connection with the passage or defeat of such legislation, other than to appear before a committee of the Congress of the United States in support of or in opposition to such legislation.

(b) All information required to be filed under the provisions of this section with the Clerk of the House of Representatives and the Secretary of the Senate shall be compiled by said Clerk and Secretary, acting jointly, as soon as practicable after the close of the calendar quarter with respect to which such information is filed and shall be printed in the Congressional Record. (Aug. 2, 1946, ch. 753, title III, § 308, 60 Stat. 841.)

§ 268. Reports and statements under oath.

All reports and statements required under this chapter shall be made under oath, before an officer authorized by law to administer oaths. (Aug. 2, 1946, ch. 753, title III, § 309, 60 Stat. 842.)

§ 269. Penalties and prohibitions.

(a) Any person who violates any of the provisions of this chapter, shall, upon conviction, be guilty of

a misdemeanor, and shall be punished by a fine of not more than \$5,000 or imprisonment for not more than twelve months, or by both such fine and imprisonment.

(b) In addition to the penalties provided for in subsection (a) of this section, any person convicted of the misdemeanor specified therein is prohibited, for a period of three years from the date of such conviction, from attempting to influence, directly or indirectly, the passage or defeat of any proposed legislation or from appearing before a committee of the Congress in support of or opposition to proposed legislation; and any person who violates any provision of this subsection shall, upon conviction thereof, be guilty of a felony, and shall be punished by a fine of not more than \$10,000, or imprisonment for not more than five years, or by both such fine and imprisonment. (Aug. 2, 1946, ch. 753, title III, § 310, 60 Stat. 842.)

§ 270. Exemptions from chapter.

The provisions of this chapter shall not apply to practices or activities regulated by chapter 8 of this title nor be construed as repealing any portion of chapter 8 of this title. (Aug. 2, 1946, ch. 753, title III, § 311, 60 Stat. 842.)

Chapter 9.—OFFICE OF LEGISLATIVE COUNSEL

Sec.

- 271. Creation of office.
- 272. Appointment of legislative counsel; qualifications.
- 273. Compensation of legislative counsel.
- 274. Assistant legislative counsel; clerks and employees; office equipment and supplies.
- 275. Duties of office; rules and regulations.
- 276. Disbursement of appropriations.
- 277. Official mail matter.

CHANGES IN NAMES

Act June 2, 1924, ch. 234, § 1101, 43 Stat. 353, classified to sections 271—277 of this title, changed legislative drafting service to office of the legislative counsel, and draftsman to legislative counsel.

§ 271. Creation of office.

There shall be an office to be known as the office of the legislative counsel, and to be under the direction of two legislative counsels. (Feb. 24, 1919, ch. 18, § 1303 (a), (d), 40 Stat. 1141; June 2, 1924, ch. 234, § 1101, 43 Stat. 353.)

APPROPRIATIONS

Section 204 of act Aug. 2, 1946, ch. 753, 60 Stat. 812, provided:

"There is hereby authorized to be appropriated for the work of the Office of the Legislative Counsel the following sums:

- "(1) For the fiscal year ending June 30, 1947, \$150,000;
- "(2) For the fiscal year ending June 30, 1948, \$200,000;
- "(3) For the fiscal year ending June 30, 1949, \$250,000;
- "(4) For the fiscal year ending June 30, 1950, \$250,000;

and

"(5) For each fiscal year thereafter such sums as may be necessary to carry on the work of the Office."

Said section was made effective as of Aug. 2, 1946, by section 245 of said act Aug. 2, 1946.

§ 272. Appointment of legislative counsel; qualifications.

One of the legislative counsel shall be appointed by the President pro tempore of the Senate, and one by the Speaker of the House of Representatives,